

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY  
MINOR MODIFICATIONS OF URBAN RENEWAL PLAN  
WEST END LAND ASSEMBLY AND REDEVELOPMENT PROJECT  
NO. UR MASS. 2-3

WHEREAS, the Urban Renewal Plan for the West End Land Assembly and Redevelopment Project, No. UR Mass. 2-3, was adopted by the Boston Redevelopment Authority on May 2, 1957, and requires the development of land in compliance with the regulations and controls of the Plan; and

WHEREAS, Paragraph G of the said Plan, entitled "Changes in the Redevelopment Plan" provides that the Urban Renewal Plan may be modified by the Boston Redevelopment Authority; and

WHEREAS, Paragraph B, being entitled: "Planning Proposals" of said Urban Renewal Plan calls for the use of Parcel 2 in said project to be used for public use, the use of Parcel 1E to be multi-family residential, and the use of Parcel 1F to be multi-family residential.

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That Paragraph B3 (B) (1) (b) on Page 8 of the West End Land Assembly and Redevelopment Plan, as revised, be amended by deleting the words and designation "Parcel 2 - Public Use".
2. That Paragraph B3 (B) (1) (a) (v) on Page 8 of the West End Land Assembly and Redevelopment Plan, as revised, be amended by deleting the words and designation "Delivery Parcel 1E -- Multi-Family Residential".
3. That Paragraph B3 (B) (1) (a) (vi) on Page 8 of the West End Land Assembly and Redevelopment Plan, as revised, be amended by deleting the words and designation "Delivery Parcel 1F -- Multi-Family Residential".
4. That Paragraph B3 (B) (1) (a) of the West End Land Assembly and Redevelopment Plan, as revised, be modified by adding the following as (viii) of said paragraph and section: "Parcel 2-1E-1F -- multi-family residential with complimentary and accessory commercial uses".
5. That Section B3 (B) (2) (c) of the West End Land Assembly and Redevelopment Plan be and it is hereby modified by adding the following: "Parcel 2-1E-1F -- the sum of the floor area of areas which is defined as the area included within exterior walls, excluding basements and underground garages, shall not exceed 350% of the area of the parcel."
6. That the proposed modifications are found to be minor and do not substantially or materially alter or change the Plan.
7. That all other provisions of said Plan not inconsistent herewith be and are continued in full force and effect.



8. That the Director be and hereby is authorized to proclaim by certificate these minor modifications of the Plan, all in accordance with the provisions of the Urban Renewal Handbook, RHM 7207.1, Circular dated June 3, 1970 (on a Proclaimer Certificate in substantially the form as attached to this Resolution), and to petition the Zoning Commission, in the name and behalf of the Authority, to effectuate the development on Parcel 2-1E-1F as voted by the Authority on February 25, 1971.



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MEMORANDUM

SEPTEMBER 9, 1971

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: Minor Modification of Urban Renewal Plan  
West End Land Assembly and Redevelopment Project,  
No. UR Mass. 2-3

SUMMARY: This Memo requests that the Authority adopt a minor modification of the West End Land Assembly and Redevelopment Plan with regard to land use controls and FAR.

On June 20, 1968, the Boston Redevelopment Authority, in response to a written request from Charles River Park, Inc., voted, subject to later modification, to include the land area of Parcel 2 of said project within the total land area of parcels 1E and 1F. Originally the use of Parcel 2 was designated for public purposes, whereas the use of Parcels 1E and 1F was for multi-family residential purposes.

On February 25, 1971, the Authority restated its position to proceed expeditiously with the total development of parcels 2, 1E and 1F and to this end voted to combine these three parcels into a new total parcel as per a new Parcel Delivery Plan entitled: "Plan of Land in Boston, Parcel 2-1E-1F of the West End Land Assembly and Redevelopment Plan, prepared by the Chief Engineer of the Authority dated February 24, 1971. Said Parcel Delivery Plan was broken down into three component areas and were designated Area F, Area 2A, and Area E. Also at this meeting it was voted to amend Section 304 of the master Leasehold Agreement for submission to HUD for their concurrence. In a letter from the HUD Area Office dated August 30, 1971, concurrence in the Leasehold Amendment changes allowing for this development (Area E being specifically excluded), it was stated that this concurrence was subject to appropriate modifications of the West End Redevelopment Plan which would allow for the change in land use controls.

In the opinion of the General Counsel, the proposed modifications as to land use controls are a minor plan change and do not substantially or materially alter or change the basic plan. It is also the opinion of the General Counsel that the plan change adopted by the Authority on August 13, 1970 in reference to floor area ratio, should be reaffirmed as a minor plan change and proclaimed by certificate as this change does not substantially or materially affect the plan. These modifications may therefore be effected by vote of the Authority, pursuant to Paragraph G, "Changes in the Redevelopment Plan" of the West End Land Assembly and Redevelopment Plan.

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These proposed modifications are submitted at the request of the Redeveloper. An appropriate Resolution is attached.

Attachment



APPENDIX - PROCLAIMER CERTIFICATE  
RELATIVE TO URBAN RENEWAL PLAN  
AMENDMENTS, CHANGES, OR MODIFICATIONS

(INSTRUCTIONS: Submit one signed copy with a copy of the general resolution to HUD. Retain one signed copy in LPA files, together with any supporting documentation necessary to support the certification.)

I, \_\_\_\_\_, the duly appointed, qualified, and acting [Executive Director] of [Name of Local Public Agency], herein called the "Local Public Agency", hereby certify that I have been authorized, by Resolution No. \_\_\_\_\_, duly adopted by the [Governing Body] of the Local Public Agency at a [regular/special] meeting on \_\_\_\_\_ (Date), as set forth in the minute book on file at \_\_\_\_\_, to make the following certification and that the statements contained herein are true and correct to the best of my knowledge and belief:

1. Attachment A, attached hereto as part hereof, comprising \_\_\_\_\_ pages and dated \_\_\_\_\_, 19\_\_\_\_, is a true and correct copy of page(s) \_\_\_\_\_, Map No. \_\_\_\_\_, constituting part of [Title of Urban Renewal Plan] for the [Name] Urban Renewal Area. Such Attachment A reflects all modifications to the Urban Renewal Plan since \_\_\_\_\_, 19\_\_\_\_, and the official proceedings respecting the local approval of such modifications is on file in the office of \_\_\_\_\_ located at \_\_\_\_\_.
2. A copy of the Urban Renewal Plan as so modified is filed and available for public inspection in the office of \_\_\_\_\_ located at \_\_\_\_\_.
3. Documents in the files of the Local Public Agency indicate that the following actions have been completed regarding the amendment of the Urban Renewal Plan as [concurrent] in by HUD on \_\_\_\_\_ (Date) and as [ ] approved by the local governing body of the Municipality on \_\_\_\_\_ (Date).



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- a. The modified Urban Renewal Plan has been reviewed by the Local Public Agency and has been found to conform to the objectives, plan, or priorities established in the Workable Program for Community Improvement, and        Name of local body or official responsible therefor        has concurred in such finding,
- b. The major land uses, major circulation system, and major public uses and facilities shown in the modified Urban Renewal Plan have been reviewed by the Local Public Agency and have been found to conform to those in the general plan for the development of the locality as a whole, and        Name of local body or official responsible therefor        has concurred in such finding,
- c. The Local Public Agency has secured written concurrence in the modification by all redevelopers determined by the Local Public Agency counsel to be affected by the modification,
- (either)
- d. There are no outstanding restrictive covenants or recorded plats affected by the modification in the Urban Renewal Plan.
- (or)
- d. The Local Public Agency has revised or is in the process of revising any outstanding restrictive covenants and any recorded plats to reflect the changes caused by the modification to the Urban Renewal Plan.
4. The local governing body        and project area committee        were provided with written notification of this amendment at least 14 days prior to the effective date of this change. A copy of the final amendment was provided to the local governing body        and project area committee        on        (Date)       .
- \*       5. Major changes in the Urban Renewal Plan proposed by the Local Public Agency were forwarded (with appropriate accompanying documentation) to HUD for approval on        (Date)       . Approval of conformance of the proposed changes with the Workable Program was received from HUD on        (Date)       .

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\* Applicable only to major plan changes previously approved by HUD.

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- \* ☒ 6. The modified Urban Renewal Plan satisfies written comments, dated \_\_\_\_\_, 19\_\_\_\_, by HUD following its review of a copy of the proposed modifications to such Plan, submitted by the Local Public Agency on \_\_\_\_\_, 19\_\_\_\_. ]
- ☒ 7. A revised Form HUD-6120, Summary of Project Data, which accurately reflects this modification is submitted herewith. ]
- ☒ 8. All zoning changes, revisions, map changes or other zoning action necessitated by the modification have been submitted to the ☐ Local Body or Official Responsible. ] ]

Any false statement made knowingly herein may subject the signer to civil penalties under Section 231 of Title 31 of the United States Code and, if such statements are made willfully and knowingly, to conviction for a felony under Section 1001 of Title 18 of the United States Code.

\_\_\_\_\_  
Date

\_\_\_\_\_  
☐ Name of Executive Director ]  
Executive Director  
☐ Name of Local Public Agency ]

I, \_\_\_\_\_, counsel to the above-named Local Public Agency and duly licensed to practice law in the State of \_\_\_\_\_, join with the above-named officers in certifying to the truth and accuracy of paragraphs 1 and 2 above. It is my opinion that all of the procedural requirements, approvals and other actions and formalities required under State and local law to make the modified Urban Renewal Plan legally effective have been duly fulfilled, taken and completed, as the case may be. To my knowledge, there is ☐ no ] pending or threatened litigation of any kind concerning the modified Plan or the ☐ Name of Urban Renewal Project ], ☐ and such litigation is described in the attachment hereto. ]

\* Applicable only to major plan changes previously approved by HUD.

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An additional legal opinion respecting the modified Plan bearing the same date as the opinion herein has been signed and submitted by me to the Local Public Agency and is on file and available for public inspection in the office of \_\_\_\_\_ located at \_\_\_\_\_. The additional opinion conforms to the opinion herein but is set forth in expanded detail, and, if submitted to HUD, would comply with all applicable current requirements of said Department relative to the submission of legal opinions in support of the initiation and continuation of Federal assistance to urban renewal projects under Title I of the Housing Act of 1949, as amended to date.

Any false statement made knowingly herein may subject the signer to civil penalties under Section 231 of Title 31 of the United States Code and, if such statements are made willfully and knowingly, to conviction for a felony under Section 1001 of Title 18 of the United States Code.

\_\_\_\_\_  
Date

\_\_\_\_\_  
[Signature]



